

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.

Plaintiff,

v.

**NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,**

Defendants.

CIVIL ACTION NO. 2:18cv530

ORDER

This matter is before the Court on Plaintiff CSX Transportation, Inc.’s (“Plaintiff”) Emergency Motion to Amend Scheduling Order and Extend its Expert Witness and Discovery Deadlines (“the Motion”). ECF No. 106. Defendants Norfolk Southern Railway and Norfolk & Portsmouth Belt Line Railroad Company filed oppositions to Plaintiff’s motion. ECF Nos. 111, 112. Plaintiff filed a Reply brief to Defendants Norfolk Southern Railway and Norfolk Portsmouth Belt Line Railroad Company on January 29, 2020. ECF No. 113. Through a telephone conference to chambers on February 4, 2020, counsel for individual Defendants Jerry Hall, Thomas Hurlbut, and Philip Merrilli, and counsel for Cannon Moss indicated they take no position on the Motion. Accordingly, the Motion is now ripe for disposition.

For good cause shown, the Plaintiff’s Motion is **GRANTED IN PART**. The Court finds it appropriate to extend Plaintiff’s expert witness deadlines by 15 days. As such, the Rule 16(b) Scheduling Order **SHALL** be amended in the following respects:

- The Plaintiff’s Expert Report Deadline shall be February 25, 2020.

- The Expert Witness Response Deadline shall be March 25, 2020.
- The Expert Witness Rebuttal Deadline shall be April 9, 2020.
- The Expert and De Bene Esse Deposition Deadline shall be April 15, 2020.

All other dates, times, and places identified in the original Rule 16(b) Scheduling Order, ECF No. 78, **SHALL** remain in effect.

The Clerk is **DIRECTED** to forward a copy of this Order to all counsel of record.

It is so **ORDERED**.


Lawrence R. Leonard
United States Magistrate Judge

Norfolk, Virginia
February 5, 2020